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ELECTION BY LOT

"Omnia superat Virtus."



Herbert Fairbairn Gardiner,

Hamilton, Ontario.



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1895

ELECTION BY LOT

THE ONLY REMEDY

FOR

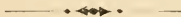
POLITICAL CORRUPTION.

“ Civil knowledge, is, of all others, the most immersed
in matter and the hardliest reduced to axioms.”

BACON.

“ A jest's prosperity
Lies in the ear of him that hears it,
Never in the tongue of him that makes it.”

SHAKESPEARE.



MONTREAL :
DAWSON BROTHERS, PUBLISHERS.
1884.

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ELECTION BY LOT.

“ It is the will of Providence,” says Hallam, “ that the highest and surest wisdom even in matters of policy should never be unconnected with virtue.”

“ A state that makes distinction between public and private morality,” says Henry Morley, “ supposing that high politics have nothing to do with vulgar estimates of right and wrong, will fall, as the Italian cities fell.”

The following is from one of our few independent journals :

“ The independent journals of this Dominion—which, by the way, are happily growing both in numbers and importance—are beginning to point out with something like befitting earnestness the positive danger which threatens our

country from the growing callousness of the people towards corruption in politics. That many of our national departments and institutions are hotbeds of intrigue and dishonesty—that the Senate is a sickening sham, whose only effectual function is to enforce the truth that age is not necessarily honourable—that political life generally is actuated by the spirit of brigandage rather than patriotism—and, worst of all—that the Canadian people as a whole are content to know all this and accept it as inevitable—these are considerations well fitted to alarm the hearts of true Canadians. The party papers cannot be expected to cry out against it,—even if they did, their warnings would carry no weight with the public. The political partizans in Parliament and the country are in the same position. It therefore becomes the one present duty of the independent press to raise a warning cry, and to persist in it. If Canada means to be anything but a by-word and reproach amongst the nations, let her lose no time in clearing her skirts of the corruption which at present she apparently enjoys.”

If we take these three quotations together, add them up, and examine the sum total, the result is not encouraging to any man who takes an interest in the future of Canada, and, as the laws of history

are not likely to be suspended for the special benefit of the Dominion, it is evident that we must either mend our ways or prepare to take our punishment when it comes.

And yet in Canada we find, if any where, the government *of* the people, *by* the people and *for* the people. Where then is the weak spot ?

Is it not true that it is equally dangerous to trust either one man or *one class* with unlimited political power ; and that the government of one class only, and that the least educated and least intelligent, means the government of the professional politician and wire-puller, and that the government of the wire-puller means corruption ?

Is it not true that a wholesome public opinion is brought about by the friction of class with class and that when political power drifts into the hands of one class only, public opinion ceases to exist ?

Is it not true that the public press in this country, instead of instructing and enlightening the people, has become the slave and hireling of the professional politician and wire-puller ?

Could any greater incentive to corruption be found than to permit the taxes to be voted by one class and paid by another ? Hume referring to the times of the Stuarts, ventured to assert

that the people were not so badly governed, and that they were happy enough *so long as they paid their taxes and let politics alone* (1). For this he was unmercifully castigated by the Edinburgh Review, nevertheless it very fairly describes the position of the respectable middle class in the British Colonies ; that class which is the real back-bone of the country, but which is not wealthy enough to buy the wire-puller and is too honest to be bought by him. Whatever may be the cause, however, certain it is that in Canada we

(1) " It is difficult to name a limit beyond which taxes " will not be borne without impatience, when they appear " to be called for by necessity and faithfully applied. *But " the sting of taxation is wastefulness.* What high-spirited " man could see without indignation the earnings of his " labour, yielded ungrudgingly to the public defence, become " the spoil of parasites and speculators ? It is this that mortifies the liberal hand of public spirit ; and those statesmen " who deem the security of government to depend, not on " laws and armies, but on the moral sympathies and prejudices of the people, will vigilantly guard against even the " suspicion of prodigality." HALLAM. In this Canada of to-day, however, the parasites and speculators would appear to have it all their own way, as the tax-paying class are too weak to remonstrate ! The sums daily voted away by the various legislatures in Canada are fearful to contemplate and yet the voice of indignation can scarcely be said to be heard.

find the politician and wire-puller *everywhere*, buying and being bought, bribing and being bribed. Men, with much to gain and nothing to lose, go in for politics as a profession, looking forward to a government appointment as the ultimate reward of their services. The young lawyer who hopes to become a judge, knows that the best course he can pursue is to throw his law-books aside and work for his party. He knows that if he does this, there is every probability of his being promoted over the heads of better men and that it will be quite time enough to study law when he has attained to his seat on the bench. The man actively engaged in business will, if he is prudent, make a point of keeping on terms with the neighbouring politicians and be prepared "to assist" when called upon, otherwise he may find himself left behind. Private enterprises have been so often cut to pieces by government opposition, in the way of railways and other public works, that it is hardly prudent to enter on large undertakings unless backed up by "the government" with its attendant gang of wire-pullers. When the popular politician gets on the stump, his hearers always expect to be told that something is going to be done for them, and if he expects to succeed he must be lavish in his

promises (1). "The government will build a branch railway for you;" "The government will put up a bridge for you;" "The government will build workshops in your city;" "The government will improve your harbour;" "The government will make a new road for you." If in opposition, he points out that the government has promised everything and done nothing, and that it has actually left the electors alone, under the impression that they might perhaps be capable of doing something for themselves "Is it not too bad!" said a farmer to me once, when I remonstrated with him for the shocking state of the roads in his township. "Is it not too bad! We all voted for the government at the last election and they have done nothing for us!" The government, in fact, like the Spanish barber, is expected to be everywhere at once "*Figaro la*,

(1) When the people are themselves corrupt it is of little practical use making laws against bribery. Take the state of Rome for instance, at the time when the Republic was dying from corruption. "There were laws which, under "a heavy penalty, forbade bribing the electors, and their "severity had been repeatedly increased, but it was nevertheless a well-known fact that every candidate, with the "exception of Cicero, spent enormous sums on his election, "for which they always contrived afterwards to indemnify "themselves during the time of their office." NIEBUHR.

Figaro qua, Figaro ! Figaro ! Figaro ! Figaro ! " and this growing dependence of the people on their corrupt rulers, is one of the worst signs of the times. When that spirit of self-reliance and love of individual freedom which has made England and Englishmen what they are, and which is the very essence of true liberty, commences to die out, free institutions are very apt to disappear along with them and the road towards anarchy and tyranny is being slowly, but surely, opened up. There is no exaggeration in this. Canada would not be the first free country that has abused its liberty and lost it. The Lombards were one of the bravest, most intelligent and most liberty-loving of the races of Europe, and yet, as Mr. Morley points out, " they made distinction between public and private morality, supposing that high politics had nothing to do with vulgar estimates of right and wrong." They fell more and more under the influence of the corrupt wire-puller and politician, and what was the result ? " Every danger appeared trivial in the " eyes of exasperated factions when compared " with the ascendancy of their adversaries. Weary " of unceasing and useless contest, *liberty with-* " *drew from a people who disgraced her name* " and the tumultuous, the brave, the intractable

“ Lombards became eager to submit themselves
 “ to a master, and patient under the heaviest op-
 “ pression. Before the middle of the fourteenth
 “ century all those cities which had spurned at
 “ the faintest mark of submission to the Emperors,
 “ lost even the recollection of self-government
 “ and were bequeathed like an undoubted pa-
 “ trimony among the children of their new lords.
 “ Such is the progress of usurpation, and *such*
 “ *the vengeance that Heaven reserves for those who*
 “ *waste in license and faction its first of social*
 “ *blessings, Liberty.*”

If we are running the same course as the
 Lombards, why should we not reach the
 same goal? Our neighbours in the States
 have already been visited by the most awful
 civil war of modern times (1) and at a recent
 presidential election party spirit ran so high and
 the wide spread political corruption disclosed

(1) It has often been asserted that slavery was the cause
 of the civil war in America, but it is at least equally true
 to assert that it was a war between two bitterly opposed
 factions which might easily have been avoided had the men
 in power been decently honest and displayed a moderate
 degree of foresight. Political foresight, however, is not the
 strong point of republics and they usually arrive at the truth
 by the exhaustion of error.

was of so shocking a nature that, if the recollection of the last war had not been fresh in men's minds, there would surely have been another. If Canada were similarly punished it should surprise nobody, though I may be censured for even suggesting it.

"If we wish to find a parallel to the British colonies," says Sir Erskine May, "we must go back to the Greek colonies." If the comparison be correct it is not very encouraging. Most of the Greek colonies started, like ourselves, with full-blown democratic institutions (1); they attained great material prosperity, were eaten up by faction, and then, like the over-grown political weeds which they were, they disappeared as rapidly as they grew, leaving little behind them that history cares to mention. References to ancient history are not much in fashion at the present day, but

(1) The Cumæans were to some extent an exception. "The Cumæans lived, like the Chalcidian Cities generally in Italy and Sicily, in conformity with the laws which Charondas of Catana had established, under a constitution democratic *but modified by a high qualification*, which placed power in the hands of a council of members selected from the wealthiest men, a constitution which proved lasting and kept these cities free, upon the whole, from the tyranny alike of usurpers and of the mob." MOMMSEN.

there is really no such thing as *ancient* history, for our trustworthy records do not date further back than some two to three thousand years. To compare the Athenian of the time of Pericles with the average Canadian elector of to-day, would be doing a gross injustice to the Greek, and Pericles himself, if he could come back to us, would display quite as much political sagacity and govern us quite as well, if not very much better than Sir John Macdonald, after he had learnt how to use the telegraph and travel by rail. "The world," says Mahaffy, "has not been progressing with even and steady step but has gained from time to time great vantage ground and has again been thrown back by the tide of circumstances (1). Thus we are in some respects only coming up to the level attained by the Greeks." With regard to what might be called "experimental politics" they

(1) "The extraordinary difference in the degree of quickness with which life moves onwards, which at certain times rushes on with immense rapidity, while at others it proceeds with almost imperceptible slowness, so that generations pass away without any remarkable changes, is one of the characteristics of history in different periods." NIEBUHR. There can be little doubt that we of the present day are living during one of the "rushing" periods.

went far beyond us, for they tried everything. Solon gave the Athenians an excellent constitution based on the conviction that while the people ought to possess the right of electing their governors, it was the middle and upper classes who ought to govern, and he did all that was possible to strengthen the position of the middle classes (1). This constitution had to be "reformed" as a matter of course, so Kleisthenes set to work upon it and "took the people into partnership." The result of this partnership was that the wire-puller at once began to make his power felt. Many of us in these days are inclined to think that the wire-puller and caucus-man is a modern invention but, in point of fact, he is as old as history. He was at any rate familiar to Kleisthenes who tried to put a curb on him by introducing the election by lot.

"We know from Aristotle," says Schömann, "that the lot had been introduced, among other

(1) And similarly at Rome—"From the time of the Tarquins down to those of the Gracchi the cry of the party of progress in Rome was not for the limitation of the power of the state but for the limitation of the power of the magistrate; nor was the truth ever forgotten that *the people ought not to govern but ought, on the contrary, to be governed.*"
MOMMSEN.

“ purposes, with the intention of putting an end
 “ to electioneering intrigues. This was the case
 “ at Heræa because the elections had before
 “ always resulted in favour of the wire-pullers.
 “ Such intrigues Kleisthenes thought it his duty
 “ to provide against. Therefore he abolished
 “ popular elections and introduced selection by
 “ lot for a great part of the offices, believing that
 “ this would secure appointments in most cases
 “ no worse and in many much better than those
 “ made by the votes of a populace misled by
 “ faction and intrigue.” “ I should have thought,”
 adds Schömann, “ that even in England there
 “ had been enough opportunity to judge of the
 “ value of this kind of popular election. At least
 “ here in Germany, we have had experience
 “ which would justify us in concluding that it
 “ was impossible to make worse appointments by
 “ the chance of the lot than by the votes of the
 “ masses guided by demagogues and popular
 “ leaders.”

That an intelligent people like the Greeks
 should have been reduced to the alternative of
 trying election by lot with a view to diminishing
 the corrupt influence of the wire-puller is an
 awful satire on popular government, but anybody
 who contemplates the present position of Canada

will quite agree with Mr. Schömann that the system might give us better men and could not give us worse. The Ontario government is now busily employed in washing its dirty linen in public, and it is a notorious fact that the linen of the other legislatures is probably much dirtier, as it is never washed at all. Our public press pours forth every day a style of literature which is enough to demoralize the whole country, if it were not already utterly demoralized, and we might fairly exclaim with King John :

“ The present time’s so sick
 “ That present medicine must be ministered
 “ Or overthrow incurable ensues. ”

Then why should we not, like Kleisthenes, try the effect of election by lot? It is the only ultra-democratic institution which still remains untried, and it is quite in accordance with the spirit of the age, as it assumes not only that one man is as good as another, but that one man is as good a statesman as another.

That many better remedies might be suggested is undoubted, but are they in any degree more practicable than the one we advocate?

We might occupy much space in endeavouring to prove that Solon was right when he placed

the elective power in the hands of the people, and the governing power in the hands of the middle and upper classes, and we might prove to our own entire satisfaction that when the nations of the past achieved that true greatness which the historian takes pleasure in recording, it was when the balance of power was evenly maintained as between the various classes of society. We might quote Mr. Pitt's description of what a constitution should be :

“ The constitution of this country is its glory : but
 “ in what a nice adjustment does its excellence
 “ consist ! Equally free from the distractions of
 “ democracy and the tyranny of monarchy, its
 “ happiness is to be found in its mixture of parts.
 “ It was this mixed government which the prud-
 “ ence of our ancestors devised, and which it will
 “ be our wisdom to support. They experienced all
 “ the vicissitudes and distractions of a republic ;
 “ they felt all the vassalage and despotism of a
 “ simple monarchy. They abandoned both, and,
 “ *by blending each together*, extracted a system
 “ which has been the envy and admiration of the
 “ world.”

Or we might go back to what is called ancient history and take the following quotation from Aristotle, who, after pointing out that “ above

“ all, in every state, it is necessary, both by the laws and every other method, that matters be so ordered as *to shut out venality from state offices,*” goes on to say :

“ There is one method of blending together an aristocracy with a democracy at the same time, if any one should choose to form such a state, for it would be possible to admit both the rich and the poor to enjoy what they want. For to admit all to a share in the government is democratical, but to reserve offices for the rich is aristocratical. This will be done by allowing no public employment whatsoever to be attended with any emolument, for the poor will not desire to be in office when they can gain nothing by it, but had rather attend to their own affairs ; the rich however will choose it, as they want nothing which belongs to the community. Thus the poor would increase their fortunes by being wholly employed in their own concerns, and the principal part of the people will not be governed by the lower sort. ”

Quotations of this description from the thoughtful spirits of the past might easily be multiplied, and, if we allowed ourselves to be carried away by them, we might fairly ask : “ Why should we not take back the power from the class which

has abused its trust and handed over the government of their country to men who have proved utterly unworthy of the confidence bestowed upon them? Why should we not make some effort to restore the balance of power as between the various classes of society, and restore some degree of influence to that middle class which is the real back-bone of the nation?" To these questions, however, De Tocqueville gives a very clear and decisive answer. "Democracy cries: Give! Give! *but it never gives back!*" (1). And if we asked these questions seriously we would merely be placing ourselves in the category of those dreamy reformers "qui ont pris les souvenirs pour les espérances."

What we have to face in this country is the fact that political power is in the hands of one class only and that that class delegates its power to the wire-puller (2). Our one class

(1) "Every political institution appears to rest on too confined a basis, to those whose point of view is from beneath."
HALLAM.

(2) An educated and intelligent aristocracy such as England still possesses might no doubt act as some check on the wire-puller. Here, however, we have no aristocracy but that of wealth, accumulated in the hands of Jay Goulds and Vanderbilts who are the politician's best paymaster. The

government has brought us in fact into the exact position described by Aristotle when he says : " Too great one-ness will destroy the very essence of a state, as harmony would be destroyed if all sounds were reduced to a single note." Here our political music is reduced to one note, and that a sad one. It is the shrill scream of the wire-puller asking for " More money," " More money !" This unpleasant bird is then the creature to be attacked, and the only way to attack him is by adopting the tactics of Kleisthenes and trying the election by lot. Why should we not make the experiment ?

We might commence by applying selection by lot to that innumerable horde of office-seekers who swarm in the corridors of every Legislative Chamber and City Hall in the Dominion and who look upon their country very much as a maggot may be supposed to look upon the cheese in which it was bred ; and we might then go on and apply the system to all legal appointments

colonist who visits England is very apt to feel a severe chill when he comes into contact with the true British aristocrat, but if he takes a look at his own wire-puller, who rules him, robs him, and despises him, a little calm reflection will probably lead him to think that honesty and arrogance are preferable to utter depravity.

from the smallest office up to the Supreme Court itself. There can be no doubt that this would work a change for the better, as Canada to-day is one of the most lawyer-ridden countries in the world (1) and the army of wire-pullers is largely recruited from their ranks. The young aspirant for political honours who has just picked up enough of that objectionable sort of law which enables him to manipulate a caucus-meeting would probably devote himself to more useful work if he found that when legal rewards came to be distributed he had to take his chance with the honester man who had applied himself to working for his clients' interest instead of for his own. If the experiment were commenced in this way it would, in all probability, be found to work so well that the system would soon be extended and the evil influence of the wire-puller and caucus-man might be gradually diminished to the very great advantage of the country.

There is another point materially affecting the

(1) It is a singular fact that the Florentines should have excluded lawyers from the supreme magistracy, and that in the reign of Edward III of England lawyers were excluded from Parliament ! What a fearful gap it would make in the ranks of our legislators if the same law were adopted here ! And yet the country might possibly survive it !

political future of this continent which it is quite worth our while to consider, and that is the constantly increasing influence of the Celtic as compared with the old Teutonic stock. "No race," says Green, speaking of the Celts, "has ever shown a greater power of absorbing all the nobler characteristics of the peoples with whom they came into contact, or of infusing their own energy into them." But we might go much further than this and assert that they not only absorb the "nobler characteristics" but also the very people themselves. What has become of the Teutons who conquered France and all Europe to the south of it? What has become of the Saxons who conquered Ireland? Have they not become *Hibernis Hibernior*? The Teuton may conquer the Celt over and over again, but there is no getting over the fact that when they settle down side by side in the same country it is the Celt who ultimately absorbs the Teuton, and not the Teuton the Celt. Whether it is owing to the greater force and vigour of their character, or to their greater reproductiveness, may be open to question, but the fact is the same, and anybody who takes the trouble to look into the matter may see the absorbing process going on rapidly all over the American continent. As the Celtic

race then is certain to be the dominant race of the future, it may be as well to examine some of its principal characteristics as described by Mommsen.

“ The Celtic, Gallic, or Galatian nation received from the common mother endowments different from those of its Italian, Germanic and Hellenic sisters. With many solid qualities and still more that were brilliant, it was deficient in those deeper moral and political qualifications which lie at the root of all that is good and great in human development. Attachment to their native soil, such as characterizes the Italians and Germans, was wanting in the Celts ; while on the other hand they delighted to congregate in towns and villages which accordingly grew and acquired importance among the Celts earlier apparently than in Italy. Their political constitution was imperfect. Not only was their national unity recognized but feebly, as a connecting bond, but the individual communities were deficient in unity of purpose and steady control, in earnest public spirit and consistency of aim. The only organization to which they were suited was the military, in which the bonds of discipline relieved the individual from the troublesome necessity of self-control,”

Mommsen then quotes from Thierry as follows:
 “ The prominent characteristics of the Celtic
 “ race were personal bravery in which they ex-
 “ celled all nations ; an open impetuous tempera-
 “ ment open to all impressions ; much intelligence
 “ associated with extreme volatility ; want of per-
 “ severance. aversion to discipline and order.
 “ ostentation and perpetual discord, *the result of*
 “ *boundless vanity.* ”

The German historian then continues : “ Such
 “ qualities, those of good soldiers but bad citizens,
 “ explain the historical fact that *the Celts have*
 “ *shaken all states and founded none* They led,
 “ whether under their own banner or a foreign
 “ one, a restless soldier life ; constantly employed
 “ in fighting, and in their so-called feats of
 “ heroism they were dispersed from Ireland and
 “ Spain to Asia Minor. But all their enterprises
 “ faded away like snow in spring and they no-
 “ where founded a great state or developed a
 “ distinctive culture of their own. ”

If, as Mommsen asserts, it is a historical fact
 that “ the Celts have shaken all states and founded
 none, ” prudent men may be forgiven for looking
 forward with some degree of misgiving to their
 increasing influence. That they still “ delight to
 congregate in towns ” is proved by the present

state of the city of New York where the government is entirely in their hands, and a very pretty government it is! There is nothing to be gained, however, by dwelling on the weaknesses of the Celt and it cannot be gainsaid that "he possesses many solid qualities and still more that are brilliant." but there can be no harm in pointing out that the modern system of popular elections gives him an immense advantage over his Teutonic brother. When a new electoral campaign is inaugurated the excitable Celt rushes forth to the fray with all the lively delight of a school boy out for a holiday. The whole thing is to him a sort of continuous Donnybrook fair with coat-tails to tread on in all directions and nobody to say him nay. It is much better fun than a wake, with the additional attraction of dollars to be picked up if matters are well managed. The more stolid and home-loving Teuton, on the contrary, is very apt to become disgusted with the whole business and retire from the contest, leaving the game in the hands of his volatile but more energetic competitor.

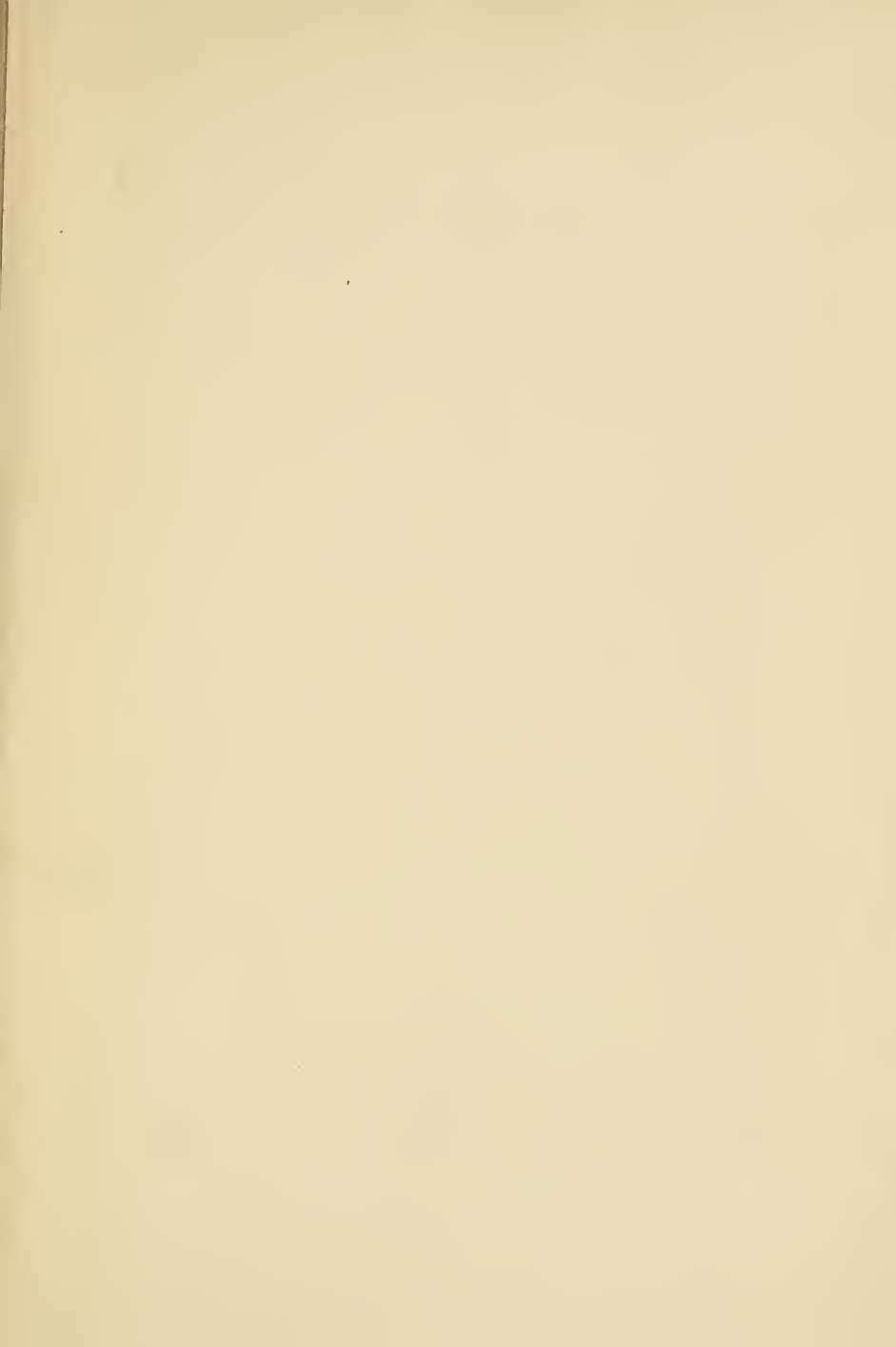
If this be a fair statement of the case, is it not desirable that some system should be adopted which might again bring into play "the deeper moral and political qualifications" of the Teuton.

That the adoption of the election by lot would have a strong tendency in this direction cannot be denied. An election by lot would be a very dull and solemn affair as compared with a lively canvass and its very solemnity would probably prove a great attraction to the Teuton. The Celt would miss the fun, and although he could never give up politics, he would get only his fair share of influence. A vast number of men who now have no visible means of support would be driven into earning an honest livelihood and all parties would be vastly better for the change. That it would destroy party government is a delusion, as we have no parties in Canada worthy of the name, the whole principle of party government being reduced to "*ôte-toi que je m'y mette*" (1). Then why not make the experiment? The

(1) "A faction is a party consisting of men who unite for their own interest and their own individuality. Parties, on the other hand, exist where the divisions, which neither can nor ought to be wanting in a state for the preservation of its vitality, exist for the purpose of supporting certain opinions and hereditary institutions. Parties can very well exist without the bitterness peculiar to factions, but what ought to be a party too often becomes a faction." NIEBUHR. If Niebuhr's definition is correct we are quite justified in asserting that there are no "parties" in Canada, but merely "factions".

Athenians would have tried it, if only for the sake of a change, and why should not we?

Sir John Macdonald is the first and the greatest of the statesmen of Canada, and by all appearances, he is likely to be the last. He is a statesman of the true Periclean stamp and it cannot be denied that he has made the best of the sorry tools that the country has given him to work with. He must see that if Lord Lansdowne had the right to appoint his own ministers, and that, if the citizens selected their representatives by putting a number of names into a hat and taking the first that came, the country would not only be much better governed but much more fairly represented. Then why should he not crown his brilliant political career by giving us this salutary and much needed reform?—a reform which would prove fatal to the wire-puller and which might save the country from the fate which threatens it—death from political trichiniasis!



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